

# VOICE OF FREEDOM.

VOL. V.

"THE INVIOABILITY OF INDIVIDUAL RIGHTS IS THE ONLY SECURITY OF PUBLIC LIBERTY."

NO. 18.

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## POETRY.

Original.  
A FRAGMENT.

BY WILCOBRO.

O, long I played with breakers, till I heard  
The roar of the dread catamaran—and saw  
The eddy waves whitening around—and felt  
My frail bark gliding to the awful brow!  
The winds, and dashing spray, and storm  
Put out, at last, the flickering lamp of hope,  
Leaving the heart enwrapped in starless gloom.  
The past, the past mispent—dark deeds of guilt—  
Hours long forgotten—all the scenes of sin,  
And words and thoughts, and acts, the hand of time  
Had blotted from the scroll of memory's page.  
Came sweeping up, like shadows, o'er my soul  
Leaving a darkness and chilliness there!

The future, rayless as the unfathomed grave,  
Whose winding sheet of waves, lay spread below,  
Rose on my vision, till the mind's dim eye  
Turned back, in sickness, with the vain attempt  
To peer through endless gloom; and the tired ear  
Listened in vain to catch the dying note  
Of sin's eternal wail—I strove to die—  
Strove to forget myself—the world—my home—  
And one, the sunshine of my soul—I sunk—  
To thee, O God—but see! a light—a star  
Twinkles and fades, and gleams again—He comes!  
An Angel comes—he grasps my icy hand,  
Gives back my fluttering breath, and calms my fears,  
And whispers blessed words of love and hope.

Now safely moored—my foot upon a rock,  
Shall I not sing his praise, and strike my lyre  
To strains that wake the echoes of the hills,  
In songs eternal to my Savior's name!  
Oct. 1843.

## GOVERNOR'S MESSAGE.

Fellow Citizens of the Senate  
and of the House of Representatives:

First of all, as it becomes the agents of a religious people, let us publicly acknowledge the Divine goodness in continuing unto us our liberties, as a state, and as a nation; for the good measure of health enjoyed by the people of this Commonwealth, and for the abundant productions of the earth; and ask wisdom from above, that we may fully perform the duties for which we are assembled.

The legislation of this state has generally been characterized by so much prudence and intelligence, that any advice or caution by me, of a general nature, would be quite superfluous.

The condition of the inhabitants of this state is, upon the whole, probably as good as that of any other people. We are an intelligent, moral and law-abiding people; we have institutions, securing the liberty and rights of the citizens; we have a fertile soil, a beautiful and invigorating climate, and industrious habits, which enable us to surpass any other state in the Union, according to our population, in the value of our agricultural productions.

The subject of Education, in all its branches, is of such vital importance to a free people, so intimately connected with the individual welfare of the members of a state, and so indispensable to the very existence of the blessings flowing from free institutions and representative governments, that it is not surprising that it should annually have attracted the attention of both the Legislative and Executive departments.

Common school education is perhaps as generally diffused, among all classes of people in this state, as among any other community, in the United States or elsewhere; yet the system now in operation is far from realizing all the advantages which ought to be expected from it. It is doubtless susceptible of great improvement; and the efforts which have been made in several of our sister states, within a few years, to investigate and obviate numerous evils, and to introduce a greater degree of uniformity and more efficiency in common school instruction, have not been without their beneficial influence. Let us profit by the example of others.

Valuable suggestions on this subject are contained in successive reports, made by legislative committees, during the two past years. Our higher institutions of learning, connected intimately, as they are, with our common schools, and exerting an immense influence upon the intellectual condition of our citizens, ought also to receive the fostering care of the Legislature. No system would be perfect which should exclude these from consideration. Whether the creation of a Board of Education, with the powers and duties contemplated in the legislative report of last year, will not prepare the way for the introduction of great improvements, is submitted for your mature consideration.

The Militia, without which there would be no safety to our government or country, are too apt to receive an annual complement and then be neglected. Whether the law for the improvement of their condition, which had been prepared with great care, and passed at the last session, will prove useful and satisfactory to that numerous and patriotic body of citizen soldiers, for whose regulation and benefit it was made, I am not able at present to determine; and perhaps there has not been

sufficient time, since the passage of the act, to test its utility.

By an act passed at the last session, relating to Capital Punishment, it is directed that if any person shall commit any crime, which by the law of this State is punishable with death, such person shall be sentenced to solitary confinement in the state's prison, until the punishment of death shall be inflicted; and also, if any person shall hereafter be convicted of any crime, punishable by death, such person shall in like manner be sentenced to solitary confinement, until the sentence of death shall be inflicted. By the act it is further provided, that no sentence of death shall be executed until after one year from the time of passing of such sentence, nor until the whole record of the proceedings in such case shall be certified to the Governor; nor until a warrant shall be issued, by the Governor, under the seal of the State, with the record annexed thereto, directed to the Sheriff of the county where the state's prison is situated, commanding said Sheriff to cause execution to be done upon the person, upon whom sentence had been passed. It is understood that there has been one conviction and sentence under this law, which it will be my reluctant duty to pass upon, as the law appears to me to be objectionable.

I cannot believe for a moment that it was the intention of the Legislature, by this act, to prepare the way for the total abolition of capital punishment, even in cases of murder; for such a measure, in my opinion, would be fraught with evils of a most direful kind;—but this law, which changes in some measure our long established mode of administering criminal justice, may give occasion for a belief in the public mind, that after conviction there will be less certainty of punishment.

Although this statute may be open to some other objections, that part of it which relates to the issuing of a death-warrant by the Governor, is perhaps the most so. It is not sufficiently explicit, to show distinctly, whether it is a mere discretionary power, that he may or may not exercise, after examining the record of conviction, or a duty to be performed as a ministerial officer. If it means the first, it is in effect a power to pardon or commute, which is not given him by the Constitution, and cannot be conferred by the legislature. If it means the last, why impose this ungracious duty upon the Chief Magistrate, who in most governments, and in this to a certain extent, is entrusted with the privilege of releasing from punishment, and not the stern duty of inflicting it. But if he is to order a convict to execution, the most solemn of all official acts, it should be done by express authority of law, and not left to inference or construction. It is submitted to your consideration whether this law should not be repealed, or at least revised.

The sad existence of Slavery in many of the States of this Union, should be the cause of deep humiliation to the moralist, the patriot, and the Christian; but the continuance of this inhuman curse in the District of Columbia, and in the Territories, should excite our warmest indignation. There, thousands of human beings are in perpetual bondage; and a slave-market is openly held at the seat of the freest government upon earth. This is a spectacle fit only for tyrants to behold; and to make this state of things not only permanent, but as if also to fasten the awful responsibility of it upon the citizens of the free States, there have not been wanting representatives in the Federal Government, from those States, (happily none from our own,) who have refused, where Congress has clearly the right to act, to let the oppressed go free, and to abolish a traffic, which, by the spirit of the laws even of that government, is ranked with piracy itself. Nay, more; they have silenced remonstrances of sovereign States against these grievous wrongs, and excluded the petitions of the people.

A State may not infringe the compact as it exists on the subject of slavery, any more than other parts of the Constitution. We have all sworn to support that instrument; and to attempt to evade or repeal the oath, by casuistical sophistry as to its binding force, would be neither just nor wise. But whatever legislative powers the States do possess, should be exercised as occasions arise, so as not to give one scrap more of living flesh than the bond requires.

An unhappy decision of the Supreme Court of the United States, made in January, 1842, in the case of Prigg vs. the State of Pennsylvania, it is believed will occasion some danger to free colored people who may be found in this State. In that case it is understood to have been decided that the Federal Government have an exclusive right to regulate the mode in which the claim of a master over his fugitive slave shall be made; that Congress has already exercised that right, in a perfectly constitutional manner, through the law of 1792; that all legislation on the part of the several States, which directly or indirectly limits or restrains the right of recovery of fugitive slaves, is entirely null and void; that no State can pass a law in any way interfering with the power of summary removal from its territory of an individual claimed as a fugitive slave,—provided that this power be exercised under the sanction of the United States Courts; but it is not obligatory upon any State to suffer its own magistrates to exercise the same power.

The law of Congress of 1793 confers the same power upon State magistrates as that given to judges of the United States Courts, and upon that statute the Court says, that their magistrates may, if they choose, exercise the authority thus conferred, "unless prohibited by State legislation." This decision is at present the law of the land, and the danger is, that among our great number of magistrates, some may be found who are not well informed as to their duty, and may act unadvisedly, and thus, upon a false claim, consign some unfortunate being forever to hopeless slavery,—for from the decision of the magistrate there is no appeal.

I therefore recommend to the legislature to pass a law prohibiting all magistrates, acting under the authority of this State, from taking cognizance of, or acting under, the act of Congress passed the 12th July, 1793, relating to fugitive slaves, or any other law that may be passed of similar import. This would seem from the aforesaid decision to be perfectly constitutional and proper, and indeed almost invited by the court, by the language before quoted. By such an act, the evil consequences of the decision may in some degree be mitigated.

I also recommend a law prohibiting all executive officers of the State from arresting, or detaining in jail, any person who is claimed as a fugitive slave; believing this to be a proper mode of exhibiting the determination of this State to do no act, which she may constitutionally omit to do, to countenance the institution of slavery. The Commonwealth of Massachusetts has recently passed such a law, and the example is believed to be worthy of imitation. If the passing of the statute proposed shall incidentally tend to prevent the recapture of fugitive slaves, may we not well exclaim in its defence, in the language of the sage of Monticello—"shall distressed humanity find no asylum!"

There are strong reasons for anticipating that an attempt will very soon be made to annex the Republic of Texas to the United States, as well for the purpose of creating a perpetual market for slaves, as from that large territory, to carve out slave States enough to give a preponderance in the Union to the slave power. If such an attempt shall succeed, then we besides our unhappy country. Who then can hope that the wrath of Heaven can be longer restrained?

I have spoken perhaps too freely upon this exciting subject; but at the capital of Vermont, unlike that at Washington, there is liberty of speech upon all public topics.

In our expenditures the utmost economy that is consistent with the maintaining and promotion of the public interests, should be constantly practised. The just medium between parsimony and extravagance, in public transactions, is not always easy to discover, and it is to be found only by the good sense of those who make the laws; and this was one reason why our Constitution declares that the House of Representatives, which originates all appropriation bills, shall consist of men most noted for wisdom, as well as virtue. In this State, where the only permanent source of revenue is direct taxation, profuseness of the people's money should be carefully avoided.

It appears by the Report of the Auditor in the Treasury, that the State School Fund amounts to \$200,234.95, and that of this sum \$173,154 is due to the fund from the State, and the remaining \$26,080.95 is due from individuals on loans. In one view, the State is in debt in the first sum; and in another view, it is a creditor in the last sum. The Auditor of Accounts had given very cogent reasons why the debt of the State to the fund ought to be cancelled; and if those reasons appear to the General Assembly, as they do to me, convincing and unanswerable, the debt will, as the fund is under the control of the State, be cancelled.

That a Tariff of duties upon importations, sufficient to supply all the reasonable wants of the National Government, and shaped with a substantive and bona fide intention to give adequate protection to home industry, is absolutely necessary for the true independence and prosperity of the country, is believed to be a fundamental political truth, which ought on all suitable occasions to be proclaimed. It is a doctrine, too, which should be put forth in no ambiguous terms, but ought distinctly to embrace the idea of protection for the sake of protection, that thus there may be but two sides to the question, and no cover for hypocrisy on either.

The last Congress found that the sliding scale of the Compromise Act had descended so low that the revenue was not sufficient to support the Government; that the low rate of duties had caused excessive importations of foreign goods, and consequently immense indebtedness and large remittances of specie abroad, while at home the results were, great injury to our manufacturers, as well as to those who furnish materials, labor and subsistence, and an almost universal depression of the business of the country. In this State of things, the majority of that Congress undertook to enact a new, and it was hoped, a better Tariff; and after the strong opposition of the great body of the minority, and with the reluctant votes of a small number of that minority, the present Tariff was passed. Although it is but about a year since its passage, its operation has already been most beneficial. Business is now uncommonly active in the commercial cities; the important man-

ufactories are in lively operation; the demand for the great staple of our State is revived, and the price has somewhat increased; and it is believed that if the present Tariff can survive the attacks of its opponents in the next Congress, the business of the country will be in a permanent State of prosperity, and, consequently, our agricultural productions in good demand.

If, as has been alleged, it shall turn out that the protection afforded to every interest, except that which is peculiarly our own, is too high, while the protection to that is inadequate, it is surely consolatory to reflect, that the portion of the people, from whom this complaint arises, may control the majority in the next Congress; and I may add, reasonable to expect, that that majority will raise the duty on wool to the necessary point. The correctness of this expectation, however, time will determine.

It should be remembered that the present Tariff was not secured without a great sacrifice. The overbearing opinions of the President, and the opposition of the minority in Congress, compelled the postponement, and perhaps the final loss, of the distribution of the proceeds of the sales of the public lands among the several States, to which they have a just right. This was done, lest the want of a sufficient revenue should oblige Congress to pass a Tariff highly protective; thus inflicting upon the States a double injury—the loss of their portion of the money accruing from the sales of the public lands, and the risk of having the present Tariff demolished or impaired. While we have yielded to the necessity of suspending the Land Distribution, in order to secure Protection, I conceive it to be our duty constantly to insist upon Distribution, as a measure which cannot be denied without trampling upon the sacred rights of the States.

I have thus used the common privilege of every citizen to speak upon some of the questions of national policy which now engage the attention of the public, meaning of course no disrespect to those who entertain different views. My opinions may be of small value, yet frankness requires that they should not be withheld.

I thank you most cordially for the honor you have conferred upon me, and I will assiduously co-operate with you in promoting such measures for the good of the people as your collective wisdom may devise, and aid you, so far as it is my province, in bringing the session to a close with all convenient despatch.

JOHN MATTOCKS.

EXECUTIVE CHAMBER,  
Montpelier, 14th Oct. A. D. 1843.

## MISCELLANY.

ROBERT EMMET—THE MARTYRED PATRIOT.

"Love is an offering of the whole heart, a sacrifice of all that poor life hath."—CORNWALL.

In the county of Galway, in Ireland, there lived a young couple, the children of two neighboring cottages, who were betrothed to each other from the earliest period of infancy. Their parents were of the lowest class of peasantry, and possessed no inconsiderable share of the national characteristics. With dispositions inherently good, their passions had been inflamed by the pressure of sharp poverty and finally induced them to join the rebellion, which terminated in the death of Emmet and his associates.

It happened that the father and mother of the young girl, with the youth to whom she was betrothed, were sitting round their fireside, when a sudden knock at the cottage door induced them to hasten to the gate. A tall, elegant stranger, closely muffled in a military cloak, entered their humble dwelling, and through the folds of his requiem attentively surveyed the group. He appeared young, noble, but wrapped in gloom; which, at the period to which I allude, was felt by every Irish patriot.

After a long pause, he relaxed somewhat his scrutiny, and having insisted on the departure of the females, commenced an animated recital of the civil dissensions of Ireland, and terminated his discourse by solemnly conjuring the cottagers, as they valued their rights, their liberties, and their principles, to participate in a rebellion which was raised for the preservation of their country.

His appeal was not lost upon his audience.—The iron rod of slavery had entered into their souls, they had felt the sting of poverty, and were ready to embrace any means of ultimate emancipation. They had hearts too that could feel, and hands that could wield a sword, and as the stranger saw the tears coursing down their manly cheeks, he embraced them in transports, and promised to meet them on the ensuing evening, on the bleak moor which adjoined the village where they resided.

The night soon arrived; and having taken an affectionate farewell, the one of his betrothed bride, the other of his wife and daughter, the couple set forward on their march. As the clock from the village church struck eight, they entered on the very place appointed for their meeting. At the remotest corner of the moor they observed a man hastening to join them.—It was the stranger; he halted their appearance with enthusiasm, and taking a hand of each, desired them to accompany him in silence. The party soon quitted the moor, and as they cut rapidly across the high road, discovered a numerous

company of horse patrol scouring along with swords drawn, and, steel helmets flashing through the darkness of the night. By creeping under the hedges they were easily enabled to avoid them, and when the receding steps could be heard no longer, they cautiously stole from their hiding place, and pursued their midnight march.

They had now entered on a dark mountain-pass, enclosed on either side by precipices, which rose to an awful distance above them. Beyond towered a gloomy forest of pines; and to the right in the distance, appeared the bleak hills of Wicklow. The dead of night drew on; and as the wind roared through each opening cleft in the mountains, there came over the spirits of the travellers a corresponding tone of deep dejection. They moved along in silence—not, however, without an occasional murmur from the cottager or his son-in-law, as to the direction of the road they were pursuing; and they had already commenced an expostulation, when the moon peeped through a mass of clouds in which she was barred, and revealed the expanse of the deep blue ocean, which roared at the base of the mountain along whose summits they were winding.

In a few minutes they had gained the further side of the pass, and could distinctly hear the hum of human voices, and see the dim flickerings of a hundred torches, revealing, to their surprise, a cavern which seemed yawning to receive them. They advanced towards the entrance, where a sentinel, with a pike in his hand and a broadsword by his side, was stationed. "Who goes there?" he exclaimed, leveling his weapon at the party. "Friends," was the reply.—"The watch word."—"The Emerald Isle," returned the other, and hastened on, accompanied by his two astonished associates.

After winding through a narrow passage that admitted but one at a time, their eyes were dazzled by the glittering radiance of torch-lights, which illuminated the dark vaults of the cavern. A charcoal fire burnt in the middle of the cave, and threw a sulphurous glare on the ferocious features of the surrounding group. From the center of the arched roof a lamp was suspended, and on every side hung broadswords, pistols and other paraphernalia of destruction. On the entrance of the stranger with his companions, the rebels advanced to meet him, and paid him that involuntary respect which true dignity never fails to elicit. He had now thrown off his mantle, but his features were still carefully concealed. He was habited in a simple suit of green, and advancing towards his two companions, recommended them to the rest of the group as friends to the liberty of Ireland. They were received with shouts of applause, the fearful oath of allegiance was taken, and they were equipped with arms to be used in the ensuing contest.

Among the number of those who held their nightly meetings in the cavern, was an old enthusiast, well known by the name of 'Allan of the Moor.' He was a reputed wizard, and had no inconsiderable influence over the assembly by the wild and savage singularity of his demeanor. His face was cadaverous; his matted hair thinly strewn over his wrinkled brows; but his eyes were as the eyes of the dead. As his prophecies, the effects of a distempered imagination, invariably announced a successful issue to the contest, the rebels daily received a formidable addition to their reinforcements. They remained with their families during the morning and assembled each night in the cavern, but with such precaution, that they were enabled to baffle the penetration of the soldiers who were stationed in companies throughout the country. The troubles of Ireland meantime raged with unabating energy; the sentiments of liberty were tortured into language of treason, and the military oppressed the unfortunate peasants with unexampled despotism. The whole of the lower classes, on whom the yoke fell the heaviest, resolved at last to take the earliest opportunity of recovering their freedom.

On a gloomy night in autumn, they assembled in Thomas street Dublin, where they had previously deposited their arms, and awaited in anxious expectation the signal that was to announce their rising. As the castle clock struck the hour of eight, lights were seen burning on the summits of the neighboring hills; the roar of musketry was heard, and a fearful contest took place in the crowded streets of the city. The alarm-bell was immediately rung, the riot act read, and the drums of the military called to action. At this instant, a party of rebels, with the young stranger at their head, moved towards the castle. A regiment was ordered to attack them; but such was the fury of their charge, that the soldiers were dispersed on the first onset. They had now gained the castle walls, and sword in hand the stranger, followed closely by the cottager and his son-in-law, mounted the rampart. This last was shot dead at the first attack, and the other two separated from each other by the violence of the struggle. Numbers at length prevailed; the rebels were finally subdued, their commander imprisoned, while the cottager was almost the only one who escaped. For days subsequent to the battle, he continued wandering about the streets in hopes of encountering the stranger, with whose fate he was yet unacquainted.

As the hour of trial approached, he resolved to enter the hall of justice, and boldly endeavor to address him. The conviction of the rebels had in part com-

menced; a deep silence prevailed, and a young man was busy in his defence. He was of a noble and commanding aspect, with a countenance shaded by the gentlest melancholy. But his voice—it struck immediately to the agonized feelings of the cottager, and convinced him, that the person he now beheld, was the stranger of his fancy, Robert Emmet—the patriot of his country. He denied the charge of treason with the most impassioned eloquence, and sighed while he recalled the memory of the girl he loved, but whom he had given up in his superior attachment to his country. He wept, but he wept not for himself; and the tears that had never fallen for his own misfortunes, stole down his faded cheek, when he reflected on the miseries he had entailed on the poor associates of his rebellion. For himself he sought no pardon; but he supplicated the mercy of the judge for the wretched men he had misled, and concluded with that affecting appeal to posterity, which can never be forgotten: "Let no man write my epitaph; for as no man who knows my motives dare vindicate them, let not prejudice or ignorance asperse them; but let them and me repose in obscurity and peace, and my tomb remain uninscribed, till other times, and other men, can do justice to my character." Even this appeal failed of its effect; he was condemned to die the death of a traitor, and his execution was ordered for the ensuing Monday, July, 1843.

The evening before his death, while the workmen were busy with the scaffold, a young lady was ushered into his dungeon. It was the girl he so fondly loved, and who had now come to bid him her eternal adieu. He was leaning in a melancholy mood against the window frame of his prison, and the heavy clanking of his chains smote dismally on her heart. The interview was bitterly affecting, and melted even the callous soul of the jailor. As for Emmet himself, he wept, and spoke little; but as he pressed his beloved in silence to his bosom, his countenance betrayed his emotions. In a low voice, half-choked by anguish, he besought her not to forget him; he reminded her of their former happiness, of the long-past days of their childhood, and concluded by requesting her sometimes to visit the scenes where their infancy was spent, and though the world might repeat his name with scorn, to cling to his memory with affection.

At this instant the evening bell pealed from the neighboring church. Emmet started at the sound; and as he felt that this was the last time he should ever hear his dismal echoes, he folded his beloved Sarah Curran still closer to his heart, and bent over her sinking form with eyes streaming with affection. The turnkey entered at the moment; ashamed of his weakness, he dashed the rising drop from his eye, and a frown again lowered on his countenance. The man in the meanwhile approached to tear the lady from his embraces. Overpowered by his feelings, he could make no resistance; but as he gloomily released her from his hold, gave her a miniature of himself, and with this parting token of attachment, imprinted the last kisses of a dying man upon her own lips. On gaining the door, she turned round, as if to gaze once more on the object of her widowed love. He caught her eyes as she retired, it was but for a moment; the dungeon door swung back upon its hinges, and as it closed after her, informed him too surely that they had met for the last time on earth.

## ANTI-SLAVERY.

Read the following, and say if the black man has not a soul, full of manly emotions and noble feelings, and a voice to give them utterance that strikes, with a master's skill, all the chords of the heart, till they vibrate at pleasure to notes of mirth or madness!

From the Buffalo Commercial Advertiser.

## CONVENTION OF COLORED PERSONS.

Having seen no mention in your paper of the late Convention of colored persons, in this city, I beg leave to call your attention to it, not with regard to the object of the Convention, but to the abilities displayed by the delegates, as business men and men of talent. Out of those present, I will select Mr. Wright, from New York, and Mr. Garnet, from Troy. Both were purely negro, possessing the ebony skin, the peculiar features, and all the physical organization, or, if you please, the physiological developments of their race; and were, without disparagement to the other delegates, the back-bone of the Convention. Wright acted the noble character of a peace-maker during the whole sitting; by his dignified deportment and uniform kindness of feeling, making disorder, order, among his associates; and by able arguments and pathetic appeals, winning the respect and approbation of the numerous white spectators. While his conduct showed the negro to be capable of high-toned feelings of morality and religion, Garnet evinced that he may, equally with the whites, lay claim to the highest order of eloquence. I have heard some of the first men of our land speak, but they never held their audience under such complete control as Garnet. For example—as chairman of a Committee, he introduced an address to the slave population at the South; having read, and made a moment's pause, he drew up his fine figure to its full height, commencing